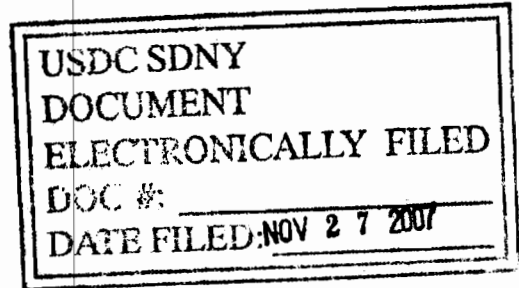


THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel



ANNA NGUYEN
Phone: (212) 788.0971
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E-mail: anguyen@law.nyc.gov

November 21, 2007

BY HAND

Honorable George B. Daniels
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED
George B. Daniels
HON. GEORGE B. DANIELS
NOV 27 2007

Re: Freddy Colon Rodriguez v. New York City Dep't of Corr. et al.,
07 CV 8126 (GBD)

Dear Judge Daniels:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the supervising attorney for defendants New York City Department of Correction, New York City Board of Correction and the City of New York.¹ I am writing to respectfully inform the Court that defendants have served plaintiff with their Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) in lieu of an answer in the above-referenced case. Defendants also have electronically filed the motion and have enclosed a courtesy copy of the motion for Your Honor hereto. The motion includes the following documents: 1) Notice of Motion, 2) Statement Pursuant to Rule 56.2, 3) Declaration of Anna Nguyen, and 4) Defendants' Memorandum of Law in Support of Their Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(6).

Defendants respectfully request that Your Honor so order the following proposed briefing schedule, which was set forth in defendants' Notice of Motion to plaintiff:

Plaintiff's Opposition Papers, if any, to be served by: 12/21/07

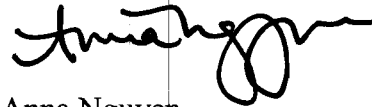
Defendants' Reply Papers, if any, to be served by: 1/11/08

¹ This case has been assigned to Assistant Corporation Counsel Bradford C. Patrick, who is presently awaiting admission to the bar and is handling this case under supervision. Mr. Patrick may be reached directly at (212) 788-1575.

In addition, defendants respectfully request that the initial conference before Your Honor currently scheduled for December 13, 2007 at 9:30 a.m. be adjourned and all discovery in this matter be stayed, in the interest of judicial economy, pending the outcome of the fully-briefed dispositive motion to dismiss the above-referenced matter.

Thank you for your consideration in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anna Nguyen', with a stylized, flowing script.

Anna Nguyen
Assistant Corporation Counsel

Encs.

CC: BY MAIL (w/ encs.)
Freddy Colon Rodriguez
Plaintiff Pro Se
918 Dumont St., Apt. 1-F
Brooklyn, NY 11207